

**BEFORE THE BOARD OF MEDICAL EXAMINERS
STATE OF TENNESSEE**

IN THE MATTER OF:

SCOTT DESJARLAIS, M.D.,

License No. 25036

Jasper, Tennessee

Respondent

**CASE NO. 2012022411, 2012020671
2012026471**

CONSENT ORDER

Comes now the Division of Health Related Boards of the Tennessee Department of Health ("State"), by and through the Office of General Counsel, and Respondent, Scott DesJarlais, M.D., ("Respondent"), and respectfully moves the Tennessee Board of Medical Examiners ("Board") for approval of this Consent Order effecting Respondent's medical license in the State of Tennessee.

The Board is responsible for the regulation and supervision of medical doctors licensed to practice in the State of Tennessee. See Tennessee Medical Practice Act, TENN. CODE ANN. §§ 63-6-101, *et seq.* It is the policy of the Board to require strict compliance with the laws of this State, and to apply the laws so as to preserve the quality of medical care provided in Tennessee. It is the duty and responsibility of the Board to enforce the Tennessee Medical Practice Act in such a manner as to promote and protect the public health, safety and welfare in every practicable way, including disciplining medical doctors who violate the provisions of TENN. CODE ANN. § 63-6-101, *et seq.* or the Rules and Regulations promulgated by the Board and recorded in the Official Compilation Rules and Regulations of the State of Tennessee ("TENN. COMP. R. & REGS.")

Respondent, by his signature to this Consent Order, waives the right to a contested case hearing and any and all rights to judicial review in this matter. Respondent agrees that presentation to and consideration of this Consent Order by the Board for ratification and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members shall be prejudiced to the extent that requires their disqualification from hearing this matter should this Order not be ratified. Likewise, all matters, admissions and statements disclosed or exchanged during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

STIPULATIONS OF FACT

1. Respondent received a medical license from the State of Tennessee on November 3, 1993, which expires on February 28, 2014.
2. In or around January 2000 to in or around May 2000, the Respondent had a sexual relationship with two female patients.
3. No documentation exists to show whether or not the physician-patient relationship was severed prior to the commencement of a romantic relationship with either female patient.

GROUND FOR DISCIPLINE

Respondent's acts as described in paragraphs two and three of this Consent Order are sufficient to establish that grounds for discipline of Respondent's medical license exist. Specifically, Respondent has violated the following statutes or rules which are part of the

Tennessee Medical Practice Act, (TENN. CODE ANN. § 63-6-101, *et seq.* and *TENN. COMP. R & REGS.*) for which disciplinary action before and by the Board is authorized:

4. Respondent's actions/omissions as articulated in paragraphs two and three of the Stipulations of Fact, *supra*, constitute violations of TENN. CODE ANN. § 63-6-214 (b) (1):
Unprofessional conduct

POLICY STATEMENT

The Tennessee Board of Medical Examiners takes the following action in order to protect the health, safety and welfare of the citizens of the State of Tennessee and ensure that the public confidence in the integrity of the medical profession is preserved.

ORDER

NOW THEREFORE, Respondent agrees to the following:

5. The Tennessee medical license of **SCOTT DESJARLAIS, M.D.**, license number 25036, is hereby **REPRIMANDED**.
6. CIVIL PENALTY:
 - a. Respondent shall pay one Type B civil penalty in the amount of two hundred fifty dollars (\$250) for each patient, for a total assessment of five hundred dollars (\$500.00). All civil penalties shall be paid within sixty (60) days of the entry of this Order.
28. COSTS:
 - a. Respondent shall pay, pursuant to TENN. CODE ANN. § 63-6-214(k) and Rule 0880-2-.12(1)(j) of the Official Compilation Rules and Regulations of the State of

Tennessee, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed by the Office of Investigations, Secretary of State, Administrative Procedures Division as well as the Office of General Counsel. These costs will be established by an Affidavit of Costs prepared and filed by counsel for the Department. The maximum amount for the assessment of costs shall be one thousand dollars (\$1,000.00).

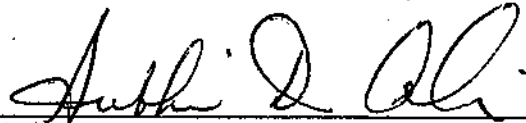
29. Respondent understands that this is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank (H.I.P.D.B.) and/or similar agency.

NOTICE

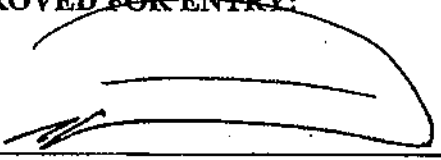
30. Payments for civil penalties shall be made by **certified check, cashier's check, or money order**, payable to the State of Tennessee, Department of Health. Any and all payments shall be forwarded to the **Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, Heritage Place Metro Center, 227 French Landing, Suite 201, Nashville, Tennessee 37243**. A notation shall be placed on said money order or such check that it is payable for the Civil Penalties of **SCOTT DESJARLAIS, MD, COMPLAINT NO. 201202241**.
31. Any and all costs shall be paid in full within sixty (60) days from the issuance of the Affidavit of Costs by submitting a **certified check, cashier's check, or money order** payable to the State of Tennessee, which shall be mailed or delivered to: **Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 227 French Landing, Suite 201, Heritage Place Metro Center, Nashville,**

Tennessee 37243. A notation shall be placed on said check that it is payable for the costs of SCOTT DESJARLAIS, MD COMPLAINT NO. 201202241.

This **CONSENT ORDER** was approved by a majority of a quorum of the Tennessee Board of Medical Examiners at a public meeting of the Board and signed this 22nd day of May, 2013.


Chairperson
Tennessee Board of Medical Examiners

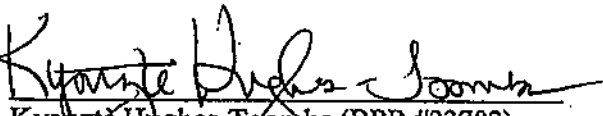
APPROVED FOR ENTRY:



Scott DesJarlais, MD
RESPONDENT
Tennessee Medical License #25036
980 Hwy 28, Suite 100
Jasper, Tennessee 37347

5-20-13

DATE



Kyonzie Hughes-Toombs (BPR #23702)
ASSISTANT GENERAL COUNSEL
Office of General Counsel
Tennessee Department of Health
220 Athens Way, Suite 210
Nashville, Tennessee 37243
(615) 741-5575

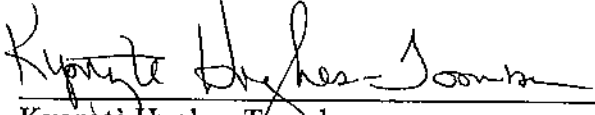
5/20/13

DATE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this Consent Order has been served upon the Respondent, 980 Hwy 28, Suite 100, Jasper, Tennessee 37347 and through Respondent's attorney, J. Harvey Cameron, 28 Courthouse Square, Suite 100, P.O. Box 759, Jasper, Tennessee 37347, by United States First Class Mail, with sufficient postage thereon to reach its destination.

This 23rd day of May, 2013.


Kyonzie Hughes-Toombs
Assistant General Counsel